

Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611



Regular Board Meeting Minutes

Thursday, December 2, 2010

10:00 AM

Board Room

Board of Commissioners

Commissioner Frank Avila, Commissioner Patricia Horton, Commissioner Barbara J. McGowan, Vice-President Kathleen Therese Meany, Commissioner Cynthia M. Santos, Commissioner Debra Shore, Commissioner Mariyana T. Spyropoulos, President Terrence J. O'Brien

THE FOLLOWING PROCEDURES WILL GOVERN THE MEETING PROCESS:

- 1. Board Members who vote "Nay, Present, or Abstain" or have a question on any item may request the item be removed from the Consent Agenda.**
- 2. Citizens in the audience who address the Board on any item may request the item be removed from the Consent Agenda.**
- 3. Items removed from the Consent Agenda are considered separately.**
- 4. One roll call vote is taken to cover all Consent Agenda Items.**

Call Meeting to Order

President Terrence J. O'Brien presiding, called the meeting to order at 10:00 a.m.

Roll Call

Present: 8 - Frank Avila; Patricia Horton; Barbara J. McGowan; Kathleen Therese Meany; Cynthia M. Santos; Debra Shore; Mariyana T. Spyropoulos; and Terrence J. O'Brien

Approval of Previous Board Meeting Minutes

A motion was made by Debra Shore, seconded by Patricia Horton, that the minutes from the last meeting be approved without having to read them into the record. The motion carried by acclamation. Chorus of ayes - No nays

Recess and Reconvene as Committee on the Whole

A motion was made by Debra Shore, seconded by Patricia Horton, to recess and reconvene as a committee of the whole. The motion carried by acclamation. Chorus of Ayes - No Nays

Recess and Reconvene as Board of Commissioners

At 12:20 p.m. President O'Brien reconvened the regular board meeting to order

Finance Committee

Report

- 1 [10-1466](#) Report on Cash Disbursements for the Month of October 2010, in the amount of \$64,685,470.04

 Attachments: [October 2010 Disbursement Report](#)

 Published and Filed
- 2 [10-1519](#) Report on investments purchased during October 2010

 Attachments: [Inv Purch 2010-10 att.pdf](#)

 Published and Filed
- 3 [10-1520](#) Report on the investment interest income during October 2010

 Attachments: [Inv Int Inc 2010-10 att.pdf](#)

 Published and Filed

- 4 [10-1521](#) Report on payment of interest for outstanding District bonds due on December 1, 2010

Attachments: [DS 2010-12AB.pdf](#)

Published and Filed

Procurement Committee

Report

- 5 [10-1475](#) Report of bid opening of Tuesday, November 16, 2010

Published and Filed

- 6 [10-1497](#) Report of bid opening of Tuesday, November 23, 2010

Published and Filed

- 7 [10-1484](#) Report on rejection of bids for Contract 10-619-11, Analytical Services for In-Service and Procured Lubricants at Various Locations, estimated cost \$134,800.00

Deleted by the Executive Director

- 8 [10-1495](#) Report on rejection of bids for Contract 11-100-11, Furnish and Deliver Radiochemical Analyses of Water, Wastewater, Sludge and Biosolids, estimated cost \$165,712.00

Published and Filed

- 9 [10-1496](#) Report on rejection of bids for Contract 11-435-11, Maintaining Automatic External Defibrillators (AEDs), Complete With Accessories, at Various District Locations for a 36 Month Period, estimated cost \$60,000.00

Published and Filed

- 10 [10-1507](#) Procurement and Materials Management Department - 2009 Annual Report (As Revised)

Attachments: [2009 Procurement Annual Report](#)

Published and Filed

Authorization

- 11 [10-1510](#) Authorization to amend Board Order of November 4, 2010, for Authority to advertise Contract 11-697-11 Demolition of Lake River Terminal and Other Derelict Buildings on District Property in Cook County, IL, estimated cost \$2,800,000.00, Account 901-30000-667220, Requisition 1312926, Agenda Item No. 11, File No. 10-1363
- Approved**
- 12 [10-1515](#) Authorization to amend Board Order of November 18, 2010, regarding Issue purchase order and enter into an agreement for Contract 10-RFP-04, Development, Furnishing, Transitioning, and Support Services for Primavera Construction Scheduling for Capital Projects, with Envision Consultants, in an amount not to exceed \$284,532.00, Accounts 201-50000-601170 and 201-50000-623800, Requisition 1314521, Agenda Item No. 11, File No. 10-1392
- Approved**

Authority to Advertise

- 13 [10-1481](#) Authority to advertise Contract 11-618-11 Services to Inspect, Maintain and Repair Emergency Generators at Various Service Areas, estimated cost \$137,600.00, Accounts 101-67000/69000-612600/612650/623070, Requisitions 1313287, 1312944, 1312978, 1315631
- Deleted by the Executive Director**
- 14 [10-1486](#) Authority to advertise Contract 11-108-11, Furnish and Deliver Repairs, Service, and Parts for Laboratory Balances and YSI Meters, estimated cost of \$39,000.00, Account 101-16000-612970, Requisition 1315616
- Patricia Horton lifted her earlier deferral*
- Approved**
- 15 [10-1508](#) Authority to advertise Contract 11-690-11 Services for Beneficial Reuse of Biosolids from LASMA, CALSMA and the Egan Water Reclamation Plant, estimated cost \$15,177,000.00, Accounts 101-66000/67000-612520, Requisitions 1312393, 1312402 and 1314469
- Approved**
- 16 [10-1517](#) Authority to advertise Contract 11-904-11 Furnishing and Delivering PLC and VFD Parts and Modules for Exchange at the Stickney Water Reclamation Plant, estimated cost \$90,000.00, Account 101-69000-623070, Requisition 1315265
- Approved**

Issue Purchase Order

- 17 [10-1474](#) Issue purchase order for Contract 10-474-11, Furnish and Deliver One-Year Maintenance Renewal of FileMaker Pro Software to the MWRDGC, to Koi Computers, Inc., in an amount not to exceed \$29,673.00, Account 101-27000-612820, Requisition 1296038
Approved
- 18 [10-1477](#) Issue purchase order and enter into an agreement with Networkfleet, Inc., for Maintenance of the Vehicle Location System for District Vehicles, in an amount not to exceed \$65,000.00, Account 101-15000-612860, Requisition 1314506 (*Deferred from the November 4, 2010 and the November 18, 2010 Board Meetings*)
Approved
- 19 [10-1478](#) Issue purchase order and enter into an agreement with the Carmen Group, Inc., for Professional Services associated with Federal Programs, in an amount not to exceed \$522,000.00, Account 101-15000-601170, Requisition 1315922
Approved
- 20 [10-1479](#) Issue purchase order and enter into an agreement with Kevin Fitzpatrick for Professional Services as Legislative Liaison for the year 2011 State of Illinois Legislative Activities, in an amount not to exceed \$106,200.00, including expenses, Account 101-15000-601170, Requisition 1315643
Approved
- 21 [10-1490](#) Issue purchase orders to Gardner Denver, Inc. to Furnish and Deliver Spare Parts for the Gardner Denver Hoffman Blowers at the Calumet Water Reclamation Plant and to Repair Blowers at the Devon Instream Aeration Station, in an amount not to exceed \$57,400.00, Accounts 101-67000, 68000-612650, 623270, Requisitions 1313302 and 1314412
Approved
- 22 [10-1492](#) Issue purchase orders to Drydon Equipment, Inc., to Furnish and Deliver Repair Parts for Hayward Gordon Pumps and Parkson Screens to the Egan and Stickney Water Reclamation Plants, in an amount not to exceed \$25,000.00, Accounts 101-67000, 69000-623270, Requisitions 1312429 and 1314037
Approved
- 23 [10-1493](#) Issue purchase order and enter into an agreement with Hach Company, for Furnishing, Delivering and Maintaining Ammonia Analyzers at the Stickney Water Reclamation Plant, in an amount not to exceed \$58,713.00, Accounts 101-69000-612650, 623070, Requisition 1313301
Approved

- 24 [10-1494](#) Issue purchase orders and enter into an agreement with Superior Industrial Equipment, L.L.C., for Services to Repair Mechanical Seals of Sludge Pumps at the Stickney Water Reclamation Plant and to Repair Mechanical Seals of Digester Sludge Recirculation Pumps at the Calumet Water Reclamation Plant, in an amount not to exceed \$180,000.00, Accounts 101-68000, 69000-612650, Requisitions 1312878 and 1311996

Approved

- 25 [10-1500](#) Issue purchase order and enter into an agreement for Contract 10-RFP-18, provide Deferred Compensation Investment Consulting services for a three-year period, with Segal Advisors, Inc., in an amount not to exceed \$111,000.00, Account 101-25000-601170, Requisition 1315932

Approved

- 26 [10-1509](#) Issue purchase orders to LAI, LTD., to Furnish and Deliver Wemco Pumps Parts at the Egan, North Side, Calumet and Stickney Water Reclamation Plants, in an amount not to exceed \$181,700.00, Accounts 101-67000, 68000, 69000-623270, Requisitions 1312413, 1312888, 1312976 and 1313297

Approved

- 27 [10-1511](#) Issue purchase order and enter into an agreement for Contract 10-RFP-17, On-Site Training Services: Workplace Violence Awareness Training, with Human Resources Solutions & Services, LLC, in an amount not to exceed \$138,150.00, Account 101-25000-601170, Requisition 1313699

Approved

- 28 [10-1518](#) Issue purchase order and enter into an agreement for Contract 10-RFP-14, furnish, deliver and configure organizational chart software, including a three-year maintenance agreement, with Aquire Solutions, Inc. in an amount not to exceed \$32,397.32, Account 101-25000-601170, Requisition 1315954

Approved

- 29 [10-1528](#) Issue Purchase Order and Enter into and Agreement for Contract 10-RFP-11, Energy Consultant Services, with The Seaton Group, Inc., in an amount not to exceed \$60,000.00, Account 101-69000-601170, Requisition 1315267

Approved

- 30 [10-1529](#) Issue purchase order to Lexington Lion Chicago GP LLC, for maintenance and operation of the common areas of the 111 East Erie Street Building for the year 2011, in an amount not to exceed \$138,700.00, Account 101-15000-612390, Requisition 1312898

Approved

Award Contract

- 31 [10-1470](#) Authority to award Contract 10-776-11, Roof Replacement at the Kirie Water Reclamation Plant, to Cuevas Construction Company, in an amount not to exceed \$104,000.00, Account 101-67000-612680, Requisition 1296519
- Attachments:** [APP D 10-776-11.pdf](#)
- Approved**
- 32 [10-1473](#) Authority to award Contract 04-203-4F, Final Reservoir Preparation, Thornton Composite Reservoir, CSA, to Walsh/II in One Joint Venture, in an amount not to exceed \$50,763,937.00, Account 401-50000-645600, Requisition 1307577
- Attachments:** [APP D 04-203-4F.pdf](#)
- Approved**
- 33 [10-1488](#) Authority to award Contract 10-001-12 Furnish and Deliver Lumber, Plywood and Nails to Various Locations for a One (1) Year Period to Crafty Beaver Home Centers, in an amount not to exceed \$73,116.70, Accounts 101-20000-623110, 623130
- Approved**

Increase Purchase Order/Change Order

- 34 [10-1476](#) Authority to decrease Contract 09-837-11, Maintaining BOD and Ammonia Analyzer Systems at the Calumet and Lemont Water Reclamation Plants, Groups C & D to Gasvoda & Associates, Inc., in an amount of \$10,440.00, from an amount of \$43,647.50, to an amount not to exceed \$33,207.50, Account 101-68000-612650, Purchase Order 5001005
- Attachments:** [09-837-11.pdf](#)
- Approved**
- 35 [10-1482](#) Authority to decrease Contract 08-656-11, Services to Inspect and Maintain TARP Electrical Control Chambers and Tide Gate Monitoring Systems at Various Locations, to Divane Bros. Electric Co., in an amount of \$45,277.07, from an amount of \$867,128.28, to an amount not to exceed \$821,851.21, Accounts 101-68000/69000-612600, Purchase Orders 5000935, 5000936
- Attachments:** [08-656-11\(Change Order 4\).pdf](#)
- Approved**

- 36 [10-1487](#) Authority to decrease Contract 08-635-12 Furnishing and Delivering Polymer to the Calumet Water Reclamation Plant, to Polydyne, Inc., in an amount of \$35,243.83, from an amount of \$805,113.82, to an amount not to exceed \$769,869.99, Account 101-68000-623560, Purchase Order 3051694
- Attachments:** [08-635-12.pdf](#)
- Approved**
- 37 [10-1498](#) Authority to decrease purchase order with Black & Veatch Corporation for professional engineering services for Contract 05-208-4F, Groundwater Protection System, Thornton Composite Reservoir, Calumet Service Area, in an amount of \$27,881.99, from an amount of \$3,691,783.00, to an amount not to exceed \$3,663,901.01, Account 401-50000-601420, Purchase Order 3042690
- Approved**
- 38 [10-1499](#) Authority to increase Contract 04-201-4F, Tollway Dam, Grout Curtain and Quarry Plugs, Thornton Composite Reservoir, Calumet Service Area, to F.H. Paschen, S.N. Nielsen and Associates LLC, and Cabo Construction Corporation, Joint Venture, in an amount of \$22,132.50, from an amount of \$69,367,398.87, to an amount not to exceed \$69,389,531.37, Account 401-50000-645620, Purchase Order 5001105
- Attachments:** [CO 04-201-4F](#)
- Approved**
- 39 [10-1504](#) Authority to increase Contract 09-176-3P Sludge Thickening Facilities, Stickney Water Reclamation Plant to McHugh Construction, in an amount of \$23,284.83, from an amount of \$162,237,184.00, to an amount not to exceed \$162,260,468.83, Account 401-50000-645650, Purchase Order 5001115
- Attachments:** [CO 09-176-3P](#)
- Approved**
- 40 [10-1505](#) Authority to decrease purchase order and amend the agreement with the United States Department of the Interior, United States Geological Survey for Installations, Operations and Maintenance of Two Streamflow Gaging Stations and Sediment Oxygen Demand, Data Collection on Bubbly Creek; and Three Chicago Area Waterway System Streamgaging Stations, in an amount of \$110,850.00, from an amount of \$292,725.00, to an amount not to exceed \$181,875.00, Account 101-16000-601170, Purchase Order 3061674
- Approved**

- 41 [10-1506](#) Authority to increase Contract 07-163-3M (Re-Bid) R & D Building HVAC Improvements, Stickney Water Reclamation Plant, to Path-Milhouse, Joint Venture, in an amount of \$17,516.24, from an amount of \$8,250,829.78, to an amount not to exceed \$8,268,346.02, Accounts 401-50000-645680 and 645780, Purchase Order 5001056

Attachments: [CO 07-163-3M](#)

Approved

- 42 [10-1513](#) Authority to increase purchase order and amend the agreement with Dynamic Refrigeration Service, for preventative maintenance and repair service, including parts, for appliances in the District cafeterias and convenience stations in an amount of \$2,000.00, from an amount of \$9,000.00, to an amount not to exceed \$11,000.00, Account 101-15000-612490, Purchase Order 8006245

Approved

- 43 [10-1516](#) Authority to increase Contract 07-220-3P Primary Settling Tanks and Grit Removal Facilities, Calumet Water Reclamation Plant to F.H. Paschen/S.N. Nielsen/IHC Construction Joint Venture, in an amount of \$30,505.22, from an amount of \$231,591,020.17, to an amount not to exceed \$231,621,525.39, Account 401-50000-645650, Purchase Order 5000954

Attachments: [CO 07-220-3P](#)

Approved

- 44 [10-1525](#) Authority to increase purchase order and exercise option to extend the agreement with Chatter Box Café, Contract 07-RFP-16 to provide Food Services at the Main Office Building and at the Stickney Water Reclamation Plant for an additional Thirty-Six (36) Month Period, in an amount of \$104,400.00, from an amount of \$104,400.00, to an amount not to exceed \$208,800.00, Account 101-15000-612490, Purchase Order 3050564

Approved

Budget & Employment Committee

Authorization

- 45 [10-1523](#) Authority to transfer 2010 departmental appropriations in the amount of \$25,000.00 in the Corporate Fund

Attachments: [12.02.10 Board Transfer BF5.pdf](#)

Approved

Engineering Committee

Report

- 46 [10-1514](#) Report on change orders authorized and approved by the Director of Engineering during the month of October 2010

Attachments: [CO October](#)

Published and Filed

Industrial Waste & Water Pollution Committee

Report

- 47 [10-1501](#) Report on Public Notification of Significant Industrial Users Having Exemplary Compliance Records and Industrial Users Significantly Violating Pretreatment Standards or Other Requirements

Attachments: [12-2-10 Att. 1 SIUs.pdf](#)
 [12-2-10 Att 2 SIUs.pdf](#)

Published and Filed

Judiciary Committee

Authorization

- 48 [10-1461](#) Authority to enter into a two-year payment plan with, CPC Laboratories, Inc. for unpaid User Charges for the year 2009 and the period January through October 2010 in the total amount of \$178,582.58 and to freeze the accrual of interest

Debra Shore lifted her earlier deferral

Approved

- 49 [10-1468](#) Authority to Enter into a Settlement Agreement in the Matter of Abec & Crowe v. Metropolitan Water Reclamation District of Greater Chicago, Case No. 03 CH 21800 Consolidated with 04 CH 752 and 03 M1 718897 (*Deferred from the November 18, 2010 Board Meeting*)

Attachments: [Abec att. Nov. 18, 2010.PDF](#)

Deleted by the Executive Director

- 50 [10-1485](#) Authority to settle the Workers' Compensation Claim of Joseph Ambroz vs. MWRDGC, Case No. 09 WC 18620, Illinois Workers' Compensation Commission, in the sum of \$54,898.34. Account 901-30000-601090

Approved

Public Health & Welfare Committee

Authorization

- 51 [10-1471](#) Request for Policy Direction on the Studies of Separation of the Great Lakes and Mississippi River Watersheds (*Deferred from the November 18, 2010 Board Meeting*)

Attachments: [Watershed Attachment 1.pdf](#)
 [Watershed Attachment 2.pdf](#)
 [Watershed Attachment 3.pdf](#)
 [Watershed Attachment 4.pdf](#)

Approved

Real Estate Development Committee

Authorization

- 52 [10-1472](#) Authority to issue a 6-month permit extension to ComEd and Nicor to continue to enter 18-acres of District land located at the southwest corner of Oakton Street and McCormick Boulevard in Skokie, Illinois, to conduct air monitoring and staging for off-site investigatory work, consideration shall be \$10.00

Attachments: [12-02-10_ComEd & Nicor.pdf](#)

Approved
- 53 [10-1480](#) Ratification of the Executive Director's November 23, 2010, execution of an easement amendment granting an additional 185'x8' area to an existing 1250'x 25' non-exclusive 25-year easement and an additional 175'x10' area to an existing 1250'x10', 180-day temporary construction easement granted to the City of Des Plaines to construct, operate, maintain and remove a storm water sewer from Wille Road along Marshall Drive, as extended, and north to Oakton Street on District land located at 751 Oakton Street in Des Plaines, Illinois

Attachments: [12-02-10_City of Des Plaines.pdf](#)

Approved

- 54 [10-1524](#) Authority to commence negotiations to purchase five lots located at 3, 5, 7, 9 and 11 Stephen Street in Lemont, Cook County, Illinois, in connection with Contract 05-711-3P "Wet Weather Reservoir, Lemont Water Reclamation Plant" and Contract 10-716-3P "Wet Weather Treatment Facility, Lemont Water Reclamation Plant"

Attachments: [Map.PDF](#)

Approved

Stormwater Management Committee

Authorization

- 55 [10-1512](#) Request for direction concerning additional funding for Deer Creek Reservoir

Attachments: [Deer Creek](#)

Deferred by Debra Shore

Miscellaneous and New Business

Motion

- 56 [10-1526](#) MOTION to appoint Commissioner Cynthia M. Santos as trustee of the Metropolitan Water Reclamation District's Retirement Fund
- A motion was made by Patricia Horton, seconded by Debra Shore, that this Motion be Adopted. The motion carried by the following roll call vote:**
- Aye:** 8 - Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Additional Agenda Items

- 57 [10-1531](#) Issue purchase order and amend agreement with AT&T Corp. to Furnish and Deliver co-location services for a period of 36 months in an amount not to exceed \$650,722.00, Account 101-27000-612210, Requisition 1316291
- Approved
- 58 [10-1533](#) Issue purchase order to Aerico, Inc., to Furnish and Deliver APC Computer Cabinets, in an amount not to exceed \$48,368.11, Account 101-27000-623810, Requisition 1294246
- Approved

Approval of the Consent Agenda with the exception of Items: 7, 13, 49, 55 and 56

A motion was made by Cynthia M. Santos, seconded by Patricia Horton, to Approve the Consent Agenda. The motion carried by the following roll call vote:

Aye: 8 - Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

59

[10-1534](#)

MOTION that no new hires or promotional measures be taken unless critical to District's operations

Adopted

Aye: 8 - Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Meeting Summary**Speakers**

Charles Derringer, Thorncreek Watershed, voiced various concerns regarding items on the agenda (Re: Procurement items #37 and 38)

George Blakemore, concern citizen, voiced concerns (Re: Miscellaneous and New Buisness item #56)

Summary of Requests

Richard Lanyon

Patricia Horton requested that future Federal Lobbyist Contracts be advertised (Re: Procurement Item #19)

Richard Lanyon

Debra Shore requested that future Board Transmittal Letters include length of term and purpose of contract (Re: Procurement Item #32)

Manju Sharma

Patricia Horton requested that future sole source awards be minimized (Re: Procurement Item #24)

Richard Lanyon

Terrence O'Brien, requested a full report and evaluation from the Real Estate Division on this item (Re: Judiciary Item #49)

Alan J. Cook

Barbara J. McGowan requested a memorial resolution be created honoring Dr. Margaret Burrows founder of DuSable Museum

Richard Lanyon

Cynthia M. Santos, Terrence O'Brien, Patricia Horton, Barbara J. McGowan and Kathleen T. Meany requested a report on the following:

- 1. List of critical positions that need to be filled from now until December 31, 2010 include duties and responsibilities*
- 2. Positions filled after the hiring freeze initiated by the Executive Director in September and identify if a new hire or transfer employee*
- 3. Positions that will be vacated by retirees thru December 31, 2010*

Study Session

None

Announcements

Hal Downs gave the Board an update on the District's bond rating.

Richard Lanyon announced the appointment of Sergio Serafino as the Assistant Director of Maintenance and Operations Department.

Board of Commissioners Annual Meeting will be held on Tuesday, December 7, 2010 at 2:00 pm.

Board Letter Submission Dates

The next regular board meeting is scheduled for December 16, 2010 please prepare and submit Board items before the following absolute cutoff dates.

Date agenda items are due to the Director of Procurement and Materials

Management for signature and preparation: December 6, 2010

Date Board letters are due to the Executive Director: 1:00 p.m., December 9, 2010

Adjournment

A motion was made by Cynthia M. Santos, seconded by Frank Avila, that when the Board adjourns it adjourns to meet on Thursday, December 16, 2010 at 10:00 a.m. and that today's meeting be adjourned. The motion carried by the following roll call vote: /s/ Jacqueline Torres, Clerk

Aye: 6 - Frank Avila, Patricia Horton, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Absent: 2 - Barbara J. McGowan, Kathleen Therese Meany

APPROVAL:

In accordance with the provisions of 70ILCS 2605/4, each of the foregoing agenda items duly adopted by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago this December 2, 2010, are hereby approved.

APPROVED:

/s/ Terrence J. O'Brien

President Board of Commissioners of the
Metropolitan Water Reclamation District of Greater Chicago

December 2, 2010